

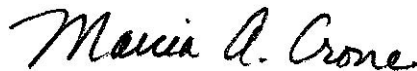
Plaintiff was warned of the potential dismissal of his lawsuit for failing to comply with the order to submit a proper application to proceed *in forma pauperis*. Such warning, however, has proven futile in prompting the diligent prosecution of this case. Plaintiff has failed to show he made any attempt to comply with the order. The court has considered lesser sanctions but finds no lesser sanction appropriate because plaintiff has failed to comply with the initial requirement for all litigants, to pay the required filing fee or, as required under the PLRA, submit a properly certified application to proceed *in forma pauperis* and pay an initial partial filing fee. The dismissal of this action will be without prejudice, and plaintiff is not barred by the applicable two-

year statute of limitations. Therefore, plaintiff may refile his lawsuit after obtaining the proper information necessary for the court to determine his eligibility to proceed on an *in forma pauperis* basis.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

SIGNED at Beaumont, Texas, this 20th day of August, 2020.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE